

Senate Study Bill 1234

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CO=CHAIRPERSON McCOY)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to close-clearance warning devices along railways
2 and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1249SC 81
5 eg/sh/8

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1 1 Section 1. NEW SECTION. 327F.8 CLOSE=CLEARANCE WARNING
1 2 DEVICES.
1 3 1. A railroad company shall place a warning device at a
1 4 location where the close clearance between a railway owned by
1 5 the railroad company and a building, machinery, trees, brush,
1 6 or other object is such that the building, machinery, trees,
1 7 brush, or other object physically impedes a person who is
1 8 lawfully riding the side of the train in the course of the
1 9 person's duties in service to the railroad company from
1 10 clearing the building, machinery, trees, brush, or other
1 11 object.
1 12 2. The warning device shall be placed in a location which
1 13 provides adequate notice to a person riding the side of a
1 14 train so that the person may prepare for the close clearance.
1 15 3. Placement of a warning device pursuant to this section
1 16 does not relieve a railroad company from any duties required
1 17 under chapter 317 or section 327F.27.
1 18 4. A violation of this section is punishable as a schedule
1 19 "one" penalty under section 327C.5.

EXPLANATION

1 20 This bill requires a railroad company to place warning
1 21 devices at locations along its railways where there is close
1 22 clearance between the railway and any object such that the
1 23 object physically impedes the clearance of a person lawfully
1 24 riding the side of a train in the course of the person's
1 25 duties in service to the railroad. Placement of a warning
1 26 device does not relieve a railroad company from its duties
1 27 concerning control of vegetation and weeds along a railroad
1 28 right-of-way.

1 29 A violation of the bill is punishable as a schedule "one"
1 30 penalty, which carries a monetary penalty of \$100 per
1 31 violation.

1 32 LSB 1249SC 81
1 33 eg:nh/sh/8
1 34